APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,627	09/30/1999	ERIC K. MANN	042390.P7092	5654

7590   05/15/2002

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EXAMINER
PARTON, KEVIN S

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 05/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Office Action Summary	Application No. 09/409,627	Applicant(s) MANN ET AL.
		Examiner Kevin Parton	Art Unit 2153

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

Drawings

1.   The drawings are objected to because:

    a.   in figure 2, the part labeled "sensors 245" is pointing to two elements in the figure, one number may not be directed to more than one element.

    b.   the reference number "622" is used to refer to the set of integers used in the example function map in figure 6A; the number "621" is used in the drawing to refer to this.

2.   A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3.   The disclosure is objected to because of the following informalities: the reference applications listed on page 1 lines 5 and 7 (docket numbers <42390.P7091> and <42390.P7090>) should be identified by their respective serial numbers.

    Appropriate correction is required.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1, 2, 5-17, 19, 20, 22, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer et al. in view of Hunter et al.

6.   Regarding claims 1, 19, and 22, Reichmeyer et al. teach a system for configuration of a

network device comprising:

      a.   means for dynamically obtaining at least one management parameter from a first

           server (column 6, lines 7-13)

      b.   means for dynamically obtaining configuration data from a remote proxy (here

           referred to as alert proxy) using the at least one obtained management parameter

           (column 6, lines 7-13; column 4, lines 38-43); and

      c.   means for automatically configuring the client device using the dynamically obtained

           configuration data (column 12, lines 41-42)

Although the system disclosed by Reichmeyer et al. shows substantial features of the

claimed invention, it fails to disclose:

      a.   means for dynamically obtaining at least one alert detection parameter from a first

           server

Nonetheless, this feature is well known in the art and would have been an obvious

modification to the system disclosed by Reichmeyer et al., as evidenced by Hunter et al.

In an analogous art, Hunter et al. disclose a system for monitoring alert notification to a

server for client devices comprising:

      a.   means for dynamically obtaining at least one alert detection parameter from a first

           server (column 4, lines 11-16).

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art to include an alert detection parameter with the at least one management

parameter.

One of ordinary skill in the art would have been motivated to do this in order to allow the device to be easily monitored locally.

7.   Regarding claim 2, although the system disclosed by Reichmeyer et al. (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose:

   a. means wherein the automatically configuring the client device using the dynamically obtained configuration data further comprises enabling the client device to detect alerts.

In an analogous art, Hunter et al. disclose a system for monitoring of client devices on a network comprising:

   a. means wherein the automatically configuring the client device using the dynamically obtained configuration data further comprises enabling the client device to detect alerts (column 11, line 63 – column 12, line 10).

Given the teaching of Hunter et al., a person of ordinary skill in the art would have readily recognized the benefit of configuring the clients of Reichmeyer et al. to monitor and report on events. One of ordinary skill in the art would have been motivated to do this in order to allow aberrant events or alerts to be reported to the central server or alert proxy.

8.   Regarding claim 5, the systems disclosed by Reichmeyer et al. and Hunter et al. teach all the limitations as specified above. Reichmeyer et al. further teach a system wherein the first server operates according to a dynamic host control protocol (column 3, line 55 – column 4, line 30). The configuration information server is analogous to the first server of the claim.

9.   Regarding claim 6, Reichmeyer et al. discloses a system for network device configuration comprising:

    a. means wherein the at least one management parameter is requested by the client

        device from the first server (column 4 lines 14-17).

Although the system disclosed by Reichmeyer et al. shows substantial features of the

claimed invention, it fails to disclose:

    a. means wherein the at least one alert detection parameter is requested by the client

        device from the first server.

Nonetheless, this feature is well known in the art and would have been an obvious

modification of the system disclosed by Reichmeyer, as evidenced by Hunter et al.

In an analogous art, Hunter et al. disclose a system for monitoring alert notification to a

server for client devices comprising:

    a. means wherein at least one alert detection parameter is requested by the client device

        from the first server (column 15, lines 11-14).

Given the teaching of Hunter et al., a person having ordinary skill in the art would have

readily recognized the desirability and advantages of modifying Reichmeyer et al. by obtaining

the at least one alert detection and management parameter from a single, two logically, or two

physically separated servers. One of ordinary skill in the art would have been motivated to do

this in order to separate functions onto separate servers to increase efficiency and/or reliability.

10.   Regarding claim 7, the systems disclosed by Reichmeyer et al. and Hunter et al. teach all

the limitations as specified above. Reichmeyer et al. further teach a system wherein the at least

one alert detection and management parameter is requested by the client device using the options

field of a dynamic host control protocol (DHCP) message (column 4 lines 34-38).

11.   Regarding claims 8, 20, 24, and 26, Reichmeyer et al. disclose a system for network

device configuration comprising:

    a. means wherein dynamically obtaining by the client device the at least one alert

        detection and management parameter further comprises dynamically obtaining a

        configuration server address (column 6, lines 7-13).

Although the system disclosed by Reichmeyer et al. shows substantial features of the

claimed invention, it fails to disclose:

    a. means wherein dynamically obtaining by the client device the at least one alert

        detection and management parameter further comprises obtaining at least one of an

        alert destination address, watchdog interval, and heartbeat interval.

Nonetheless, these features are well known in the art and would have been an obvious

modification to the system disclosed by Reichmeyer et al, as evidenced by Hunter et al.

        In an analogous art, Hunter et al. disclose a system for monitoring alert notification to a

server for client devices comprising:

    a. means wherein dynamically obtaining by the client device the at least one alert

        detection and management parameter further comprises obtaining at least one of an

        alert destination address (column 11, line 63- column 12, line 10), watchdog interval,

        and heartbeat interval.

        Given the teaching of Hunter et al., a person having ordinary skill in the art would have

readily recognized the desirability and advantages of modifying Reichmeyer et al. by including

the alert monitoring server address, or alert destination address, in the initial communication and

configuration. One of ordinary skill in the art would have been motivated to do this in order to

allow the configured device to begin detecting and sending alerts without further configuration.

Please note that any of a number of configuration values could be included.

12.   Regarding claim 9, Reichmeyer et al. disclose a system for network device configuration

comprising:

    a. means wherein the configuration file address uniquely identifies the remote

       configuration file server on the network (column 6, lines 7-13; column 4, lines 38-

       43).

Although the system disclosed by Reichmeyer et al. shows substantial features of the

claimed invention, it fails to disclose:

    a. means wherein the alert destination file address uniquely identifies the remote alert

       proxy on the network.

In an analogous art, Hunter et al. disclose a system for monitoring alert notification to a

server for client devices comprising:

    a. means wherein the alert destination file address uniquely identifies the remote alert

       proxy on the network (column 11, line 63 – column 12, line 10).

Given the teaching of Hunter, a person having ordinary skill in the art would have readily

recognized the desirability and advantages of including the address of an alert proxy with the

location of the configuration file of Reichmeyer et al. One of ordinary skill in the art would have

been motivated to do this in order to allow aberrant events or alerts to be reported to the central

server or alert proxy.

13.   Regarding claims 10 and 27, Reichmeyer et al. and Hunter et al teach all the limitations

of claims 1 and 25, but do not specify that the configuration data is dynamically obtained from a

remote alert proxy through a remote management and control protocol (RMCP).

A person having ordinary skill in the art would have readily recognized the desirability

and advantages of specifying that the configuration data is dynamically obtained from a remote

alert proxy through a remote management and control protocol (RMCP). At the time the

invention was made, it would have been obvious to a person of ordinary skill in the art to use any

industry standard messaging that would facilitate the necessary information exchange. One

would have been motivated to do this in order to make the system operate on any of a number of

standard networks employing any of a number of different communication protocols.

14.   Regarding claims 11 and 25, Reichmeyer et al. disclose a system for network device

configuration comprising:

    a. means for receiving by a proxy (referred to as an alert proxy), a configuration data

        request from a client device (column 4, lines 41-43)

    b. means wherein the configuration data request is being submitted by the client device

        using at least one dynamically obtained management parameter (column 6, lines 7-13,

        column 4, lines 38-40); and

    c. means for providing the requested configuration data to the client device to enable the

        client device to be automatically configured (column 4, lines 41-43).

Although the system disclosed by Reichmeyer et al. shows substantial features of the

claimed invention, it fails to disclose:

a. means wherein the configuration data request is being submitted by the client device

using at least one dynamically obtained alert detection parameter.

In an analogous art, Hunter et al. disclose a system for monitoring alert notification to a

server for client devices comprising:

a. means wherein the configuration data request is being submitted by the client device

using at least one dynamically obtained alert detection parameter (column15, lines

11-14).

Given the teaching of Hunter et al., a person having ordinary skill in the art would have

readily recognized the desirability and advantages of modifying Reichmeyer to include alert

detection parameters with the standard network configuration. One of ordinary skill in the art

would have been motivated to do this in order to allow the configured device to begin detecting

and sending alerts without further configuration.

15.   Regarding claim 12, Reichmeyer et al. and Hunter et al. teach all the limitations of the

claim with the exception of specifying that the alert detection and management parameter come

from a second server.

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to use two logically or physically separated servers for the delivery of the parameter

and the delivery of the configuration file. One of ordinary skill in the art would have been

motivated to do this in order to increase reliability and efficiency of the system.

16.   Regarding claim 13, the systems disclosed by Reichmeyer et al. and Hunter et al. teach

all the limitations as specified above. Reichmeyer et al. further teach a system wherein the

second server operates according to a dynamic host control protocol (DHCP) (column 3, line 55

– column 4, line 30). The configuration information server is analogous to the second server of the claim.

17.   Regarding claim 14, Reichmeyer et al. disclose a system for network device configuration comprising:

      a. means wherein the at least one dynamically obtained alert detection and management parameter includes a configuration file destination address (column 6, lines 7-13).

Although the system disclosed by Reichmeyer et al. shows substantial features of the claimed invention, it fails to disclose:

      a. means wherein the at least one dynamically obtained alert detection and management parameter includes at least one of a dynamically obtained alert destination address, watchdog interval and heartbeat interval.

Nonetheless, these features are well known in the art and would have been an obvious modification to the system disclosed by Reichmeyer et al, as evidenced by Hunter et al.

In an analogous art, Hunter et al. disclose a system for monitoring alert notification to a server for client devices comprising:

      a. means wherein the at least one dynamically obtained alert detection and management parameter includes at least one of a dynamically obtained alert destination address (column 11, line 63- column 12, line 10), watchdog interval and heartbeat interval.

Given the teaching of Hunter et al., a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Reichmeyer et al. by including the alert monitoring server address, or alert destination address, in the initial communication and configuration. One of ordinary skill in the art would have been motivated to do this in order to

allow the configured device to begin detecting and sending alerts without further configuration.

Please note that any of a number of configuration values could be included.

18.   Regarding claim 15, Reichmeyer et al. and Hunter et al. teach all the limitations of the

claim as specified above. Reichmeyer further teaches means wherein the dynamically obtained

alert destination address uniquely identifies the first server on the network (column 6, lines 7-13;

column 4, lines 38-43). Note that the 'first server' on the network is the one that houses

configuration information for the client.

At the time the invention was made, it would have been obvious to a person of ordinary

skill in the art that the alert destination address could uniquely identify a server referred to as an

alert proxy. One of ordinary skill in the art would have been motivated to do this because the

configuration would then facilitate error reporting.

19.   Regarding claim 16, Reichmeyer et al. and Hunter et al teach all the limitations of claim

11, but do not specify that the configuration data is provided to the client device through a

remote management and control protocol (RMCP).

A person having ordinary skill in the art would have readily recognized the desirability

and advantages of specifying that the configuration data is provided to the client device through

a remote management and control protocol (RMCP). At the time the invention was made, it

would have been obvious to a person of ordinary skill in the art to use any industry standard

messaging that would facilitate the necessary information exchange. One would have been

motivated to do this in order to make the system operate on any of a number of standard

networks employing any of a number of different communication protocols.

20.   Regarding claim 17, Reichmeyer et al. (as applied to claim 11) shows a system substantially similar to the claimed invention but fails to show:

    a.   means wherein the providing the requested configuration data to the client device to enable the client device to be automatically configured further comprises enabling the client device to detect alerts.

In an analogous art, Hunter et al disclose configuration of newly integrated clients to monitor and control connected network devices comprising:

    a.   means wherein the providing the requested configuration data to the client device to enable the client device to be automatically configured further comprises enabling the client device to detect alerts(column 11, line 63 – column 12, line 10).

Given the teaching of Hunter et al., a person of ordinary skill in the art would have readily recognized the benefit of configuring the clients of Reichmeyer et al. to monitor and report on events. One of ordinary skill in the art would have been motivated to do this in order to allow aberrant events or alerts to be reported to the central server or alert proxy.

21.   Claims 3, 4, 18, 21, 23, and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer et al. and Hunter et al. as applied to claims 1, 2, 5-17, 19, 20, 22, and 24-27 above, and further in view of Cromer et al.

22.   Regarding claims 3 and 23, although Reichmeyer et al. and Hunter et al. show substantial features of the claimed invention (discussed above), they fail to disclose:

    a.   Means for enabling the device to detect alerts while the device is in a reduced functional state

Nonetheless, these features are well known in the art and would have been an obvious

modification to the system disclosed by Reichmeyer et al. in view of Hunter et al. as evidenced

by Cromer et al.

In an analogous art, Cromer et al. teach a system comprising:

a. Means for enabling a client device to detect alerts while the device is in a reduced

functional state (column 3, lines 38-43).

Given the teaching of Cromer et al., a person having ordinary skill in the art would have readily

recognized the desirability and advantages of modifying Reichmeyer et al. in view of Hunter et

al. by employing this system to allow for monitoring of alerts while the client CPU is down. One

of ordinary skill in the art would have been motivated to do this to ensure some level of alert

detection while the client CPU was unavailable.

23.   Regarding claims 4, 18, 21, and 28, although Reichmeyer et al. and Hunter et al. show

substantial features of the claimed invention (discussed above), they fail to disclose:

a. Means for enabling the device to detect alerts while the device is in a reduced

functional state wherein the reduced functional state includes an operating system

unavailable state.

Nonetheless, these features are well known in the art and would have been an obvious

modification to the system disclosed by Reichmeyer et al. in view of Hunter et al. as evidenced

by Cromer et al.

In an analogous art, Cromer et al. teach a system comprising:

a. Means for enabling the device to detect alerts while the device is in a reduced

   functional state wherein the reduced functional state includes an operating system

   unavailable state (column 3, lines 38-43).

Given the teaching of Cromer et al., a person having ordinary skill in the art would have

readily recognized the desirability and advantages of modifying Reichmeyer et al. in view of

Hunter et al. by employing this system to allow for monitoring of alerts while the client CPU is

down. This powerless reduced functionality state encompasses operating system unavailable.

One of ordinary skill in the art would have been motivated to do this to ensure some level of alert

detection while the client CPU was unavailable.

Conclusion

24.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Kikinis and Hansen disclose methods, apparatuses, and/or articles of manufacture for

configuring and monitoring devices and alerts over a network.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The

examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone numbers for the

organization where this application or proceeding is assigned are (703)746-9242 for regular

communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)305-3900.

Kevin Parton
Examiner
Art Unit 2153

ksp
May 6, 2002

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